

**14590. Misbranding of meat and bone scrap. U. S. v. 150 Sacks of Meat and Bone Scrap. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20741. I. S. No. 8674-x. S. No. E-5560.)**

On December 30, 1925, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 150 sacks of meat and bone scrap, remaining in the original unbroken packages at Walkersville, Md., alleging that the article had been shipped by the Berg Co., from Philadelphia, Pa., on or about September 3, 1925, and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Berg's 50% Protein Poultry Meat & Bone Scrap. Guaranteed Analysis Min. Protein 50.00% \* \* \* Manufactured By The Berg Company Incorporated Philadelphia, Pa."

Misbranding of the article was alleged in the libel for the reason that the label bore the following statement "50% Protein \* \* \* Guaranteed Analysis Min. Protein 50.00%," which was false and misleading and deceived and misled the purchaser.

On February 10, 1926, the Berg Co., Philadelphia, Pa., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$862.50, conditioned in part that it not be sold or disposed of until labeled to show the correct contents, and inspected and approved by this department.

W. M. JARDINE, *Secretary of Agriculture.*

**14591. Misbranding of flour. U. S. v. 22 Sacks of Flour. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20205. I. S. No. 16267-v. S. No. E-5420.)**

On July 7, 1925, the United States attorney for the Western District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 22 sacks of flour, at Fort Mill, S. C., alleging that the article had been shipped by the Model Mills, from Lexington, N. C., on or about June 18, 1925, and transported from the State of North Carolina into the State of South Carolina, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "24 Lbs. When Packed."

Misbranding of the article was alleged in the libel for the reason that the statement borne on the label, to wit, "24 Lbs. When Packed," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 23, 1925, the Model Mills, Lexington, N. C., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, conditioned in part that the sacks be filled to the declared amount; and that it not be offered for sale or sold without having been so refilled and the words "When Packed" obliterated from the label.

W. M. JARDINE, *Secretary of Agriculture.*

**14592. Adulteration and misbranding of malted milk. U. S. v. 16 Barrels of Malted Milk. Consent decree of condemnation and forfeiture. Product released under bond for use as hog feed. (F. & D. No. 20047. I. S. No. 24554-v. S. No. C-4719.)**

On April 25, 1925, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 barrels of malted milk, remaining in the original unbroken packages at Logansport, Ind., alleging that the article had been shipped by the Western Feed Manufacturers, Chicago, Ill., August 22, 1924, and transported from the State of Illinois into the State of Indiana, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Malted Milk From Western Feed Manufacturers, Inc. \* \* \* Chi-

cago," (stencilled on top of barrel) "Vitamalt Food Products Co. Maltolac \* \* \* Durand, Ill."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed and putrid substance.

Misbranding was alleged in that the designation "Maltolac" was false and misleading and deceived and misled the purchaser.

On August 31, 1925, F. H. Musselman, Logansport, Ind., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, conditioned in part that it be used for hog feed.

W. M. JARDINE, *Secretary of Agriculture.*

**14593. Adulteration of coal-tar color. U. S. v. 1 Five-Pound Can of Coal-Tar Color. Default decree of destruction entered. (F. & D. No. 14694. I. S. No. 14879-t. S. No. C-2900.)**

On April 3, 1921, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 five-pound can of coal-tar color, remaining in the original can at Chattanooga, Tenn., consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., on or about March 4, 1921, and transported from the State of Missouri into the State of Tennessee, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "W. B. Wood Mfg. Co. St. Louis, Mo. Warranted Complies with all requirements, Number 810, Contents Yellow."

Adulteration of the article was alleged in the libel for the reason that sodium chloride and sodium sulphate had been mixed and packed therewith and substituted in part, if not in whole, for the said article. Adulteration was alleged for the further reason that the article contained an added poisonous and deleterious ingredient, to wit, arsenic, which might have rendered it injurious to health.

On January 6, 1926, no claimant having appeared for the property, judgment was entered, ordering that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**14594. Adulteration and misbranding of orange sirup. U. S. v. 6 One-Gallon Bottles of Orange Sirup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20097. I. S. No. 24521-v. S. No. E-5318.)**

On June 4, 1925, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 one-gallon bottles of orange sirup, at New Milford, N. J., alleging that the article had been shipped by the Rex Extract Co., New York, N. Y., on or about May 1, 1925, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Orange-Misti True Fruit Flavoring Preparation Made From Pure Fruit Oils. Harmless Color Added \* \* \* Rex Extract Company \* \* \* Brooklyn New York."

Adulteration of the article was alleged in the libel for the reason that a substance, an aqueous solution of gum, had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted in part for the said article. Adulteration was alleged for the further reason that the article had been mixed and colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statements, borne on the label, "Orange Misti \* \* \* Pure Fruit Oils \* \* \* Directions For Orangeade Strength Purity Highly Concentrated Flavorings True Fruit Flavoring Preparation," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On June 24, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*